

REGULAR MEETING  
December 8, 2008

The Regular Meeting of the Annapolis City Council was held on December 8, 2008 in the Council Chamber. Alderwoman Hoyle called the meeting to order at 7:30 p.m.

Present on Roll Call: Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Cordle, Stankivic, Shropshire, Arnett

Absent on Roll Call: Mayor Moyer

Staff Present: Acting City Attorney Kling

- Alderman Shropshire moved to approve the Journal of Proceedings for Regular Meeting of November 10, 2008, Special / Closed Meeting of November 24, 2008 and, Special Meeting of November 24, 2008. Seconded. CARRIED on voice vote.

Presentation

Rob Levit, 13 Ashford Court, Annapolis, Maryland 21401 representing Creating Communities African Drum Corps was present and spoke on behalf of the corporation.

*Closed Session*

*Statement: Pursuant to the requirement of Maryland Annotated Code, State Government Article Sections 10-508(a)(1)(i)(ii)(7)(8) this statement is included in these minutes:*

*A closed session of the City Council was held at 5:17 p.m., Monday, November 24, 2008 in the City Council Chamber.*

*Present on Roll Call: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Stankivic, Shropshire, Arnett*

*Absent on Roll Call: Alderman Paone arrived at 5:19 p.m., and Alderman Cordle arrived at 5:50 p.m.*

*Staff Present: Acting City Attorney Kling, City Clerk Watkins-Eldridge, Finance Director Elliott, Central Services Director Schuetz, City Administrator Agee, Human Resources Director Milburn, Gary M. Elson, Esq., Jonathan P. Kagan, Esq., Civil Engineer Brice*

*By unanimous consent of the members present, the session was closed. The authority under which the session was closed was Maryland Annotated Code, State Government Article, Sections 10-508(a)(1)(i)(ii). The purpose of the meeting was to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or any other personnel matter that affects one or more specific individuals. Subject: Job Descriptions -No action taken; and Maryland Annotated Code, State Government Article, Sections 10-508(a)(7)(8) to consult with counsel to obtain legal advice on a legal matters; or to consult with staff, consultants, or other individuals about pending or potential litigation regarding the Market House and Moreland Parkway.*

*Subject: Market House Action taken: none*

*Subject: Moreland Parkway Action taken:*

- Alderman Arnett moved to settle the Moreland Parkway case for the best deal possible. Seconded. CARRIED by unanimous consent.

*Upon motion duly made, seconded and adopted, the meeting was adjourned at 7:04 p.m.*

## PETITIONS, REPORTS AND COMMUNICATIONS

### Comments by the General Public

Arthur Kungle, P.O. Box 365., Annapolis, Maryland 21404-0365., Spoke on the police, 1776 Warrants, drugs and various other items.

Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401 spoke on the City Manager and City Administrator Charter Amendments and in favor of a referendum on the purposed charter amendments.

### CHARTER AMENDMENT

**CA-01-08 For the purpose of clarifying the role of the Mayor as chief executive officer and the City Administrator as chief administrative officer; enhancing the supervisory powers of City Administrator with respect to departmental directors; barring the Mayor and Aldermen from directing the work of departmental directors; providing that the dismissal of the City Administrator must be approved by the mayor and four or more aldermen; requiring the Mayor to include funding in the annual operating budget to provide professional and administrative assistance to the aldermen; and generally relating to the powers and duties of the elected and appointed officials.**

- Alderman Israel moved to postpone CA-01-08 on second reading.  
Seconded. CARRIED on voice vote.

**CA-04-08 For the purpose of amending the Charter of the City of Annapolis to establish the office of City Manager; establishing the prerequisite qualifications of the City Manager; providing for the appointment and termination of the City Manager; specifying the powers and duties of the City Manager; providing for the non-interference by the Mayor and Aldermen with the City Manager in the performance of his duties; providing for the designation of an acting City Manager under certain circumstances; establishing the City Manager as a position within the exempt service; redefining the powers and duties of the Office of the Mayor; and all matters related thereto.**

- Alderman Arnett moved to postpone CA-04-08 on second reading.  
Seconded. CARRIED on voice vote.

**CA-05-08 For the purpose of amending the Charter of the City of Annapolis to change the structure of the City government to a council – manager form of government; defining the office of city manager, including appointment/termination powers; providing for the non-interference by the Mayor and Aldermen with the City Manager in the performance of his duties; establishing the City Manager as a position within the exempt service; and, redefining the powers and duties of the Office of the Mayor.**

- Alderman Arnett moved to adopt CA-05-08 on first reading. Seconded.  
CARRIED on voice vote.

Referred to the Rules and City Government Committee

**CA-06-08 For the purpose of clarifying the role of the City Manager as chief administrative officer; enhancing the supervisory powers of City Manager with respect to departmental directors;**

**providing that the dismissal of the City Manager must be approved by the mayor; and all matters generally relating to the powers and duties of the elected and appointed officials.**

- Alderman Arnett moved to adopt CA-06-08 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee

## **ORDINANCES**

**O-33-08 For the purpose of encouraging energy efficiencies improvements and renewable energy production by establishing a program which will direct the Director of Finance to add up to 100% of privately-financed energy efficiencies improvements to a property's tax bill; and all matters generally relating to energy efficiency improvements and renewable energy production.**

- Alderman Shropshire moved to adopt O-33-08 on second reading. Seconded.

The Finance Committee reported favorable on O-33-08.

The main motion CARRIED on voice vote.

- Alderman Israel moved to adopt O-33-08 on third reading. Seconded. A ROLL CALL vote was taken:

YEAS: Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Cordle, Shropshire, Arnett  
 NAYS: Aldermen Stankivic  
 CARRIED: 7/1

**R-36-08 For the purpose of expressing support for an initiative to encourage energy efficiency and renewable energy generation efforts among individuals, small businesses, and non-profits in order to achieve an energy efficient City.**

- Alderman Paone moved to postpone R-36-08 on second reading. Seconded. DEFEATED on voice vote.
- Alderman Shropshire moved to adopt R-36-08 on second reading. Seconded. A ROLL CALL vote was taken:

YEAS: Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Cordle, Shropshire, Arnett  
 NAYS:  
 ABSTAIN: Aldermen Stankivic  
 CARRIED: 7/0/1

**O-37-08 For the purpose of specifying how vacated positions on the Art in Public Places Commission are filled; permitting the mayor and council to make temporary at-large appointments to the Art in Public Places Commission; classifying otherwise "ward-specific" positions as "at-large" for the duration of the appointment term; and all other matters concerning the Art in Public Places Commission.**

- Alderman Arnett moved to adopt O-37-08 on second reading. Seconded.

The Finance Committee reported favorable on O-37-08.

The main motion CARRIED on voice vote.

- Alderman Israel moved to adopt O-37-08 on third reading. Seconded. A ROLL CALL vote was taken:

YEAS: Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Cordle,  
Shropshire, Arnett  
NAYS: Aldermen Stankivic  
CARRIED: 7/1

**O-44-08 For the purpose of increasing the number of classes of individuals who are protected from discrimination in housing, so as to be consistent with current Federal and State protected categories; and matters generally relating to fair housing requirements.**

- Alderman Arnett moved to adopt O-44-08 on first reading. Seconded. CARRIED on voice vote. A ROLL CALL vote was taken:

YEAS: Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Cordle,  
Shropshire  
NAYS: Aldermen Stankivic, Arnett  
CARRIED: 6/2

Referred to the Housing & Human Welfare and Public Safety Committees.

**O-45-08 For the purpose of reclassifying certain positions within the exempt service of the City of Annapolis by assigning the paralegal position to the exempt service.**

- Alderman Arnett moved to adopt O-45-08 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee.

**O-46-08 For the purpose of authorizing a lease of certain municipal property located at 110 Compromise Street aka The Donner Lot and the Public Parking Lot between Fleet Reserve and Fawcett Boat Supplies from June 7, 2009 to June 6, 2010 subject to certain terms, provisions, and conditions, for the purpose of conducting an open-air farmers market.**

- Alderman Arnett moved to adopt O-46-08 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee.

## RESOLUTIONS

**R-60-08 For the purpose of the City of Annapolis waiving building and grading permit fees, water/sewer connection fees and charges and capital facility charges for the development of the Light House Homeless Prevention Support Center on Hudson Street in Annapolis, Maryland, and matter generally relating to said waiving of fees.**

- Alderman Shropshire moved to adopt R-60-08 on first reading. Seconded. CARRIED on voice vote.

Referred to Finance and Environmental Matters Committees

## BUSINESS AND MISCELLANEOUS

1. Budget Revision Request GT-11-09

- Alderman Arnett moved to accept budget revision request GT-11-09.  
Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 8:31p.m.

Regina C. Watkins-Eldridge, CMC  
City Clerk